

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1, 3-26, and 28 are currently pending. No claims have been amended herewith.

In the outstanding Office Action, Claims 1-26 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,678,135 to Fukui et al. (hereinafter “the ‘135 patent”) in view of U.S. Patent Application Publication No. 2002/0140966 to Meade, II et al. (hereinafter “the ‘966 application”) and U.S. Patent Application Publication No. 2002/0054326 to Morita (hereinafter “the ‘326 application”).

REJECTION UNDER 35 U.S.C. § 103

Previously presented Claim 1 is directed to

[a]n image forming apparatus including hardware resources used for image formation, an application for performing processes on the image formation, and a platform that exists between the application and the hardware resources, the platform including an OS and at least one control service to control an execution of each requested processing of the hardware resources according to a function call from the application, wherein interprocess communication is performed between the control service and the application, and a new application that performs interprocess communication with the control service in the same way as the application can be installed in the image forming apparatus, the image forming apparatus comprising:

an installed application storage part;

*an application information obtaining part configured to obtain, from the new application, application information of the new application that includes information indicating whether the new application is installable in the installed application storage part; and*

a determination part configured to determine whether the new application is installable in the installed application storage part based on the application information.

Regarding the rejection of Claim 1 under 35 U.S.C. § 103(a), the '135 patent is directed to an image forming apparatus for a multiplex copying system. In particular, the Office Action cites the '135 additional function (added by a peripheral connected to a copier body 301) for teaching the claimed "application," and the '135 updating programs for teaching the claimed "new application."<sup>1</sup> Further, the Office Action cites the '135 identification code for teaching the claimed "application information of the new application."<sup>2</sup>

However, it is respectfully submitted that the '135 patent fails to disclose an application information obtaining part configured to obtain, from the new application, application information of the new application that includes information indicating whether the new application is installable in the installed application storage part. Rather, the '135 patent discusses that **the identification code is sent from the additional function to the copier body 301** at, for example, power up.<sup>3</sup> As noted in the Office Action, the '135 copier body 301 compares the identification code with its own program version. If the '135 copier body 301 determines, as a result of the comparison, that it cannot deal with the additional function sufficiently, it sends the ID code of the additional function and an updating program request to the CCU 2201, and receives updating programs from the CCU 2203.<sup>4</sup> That is, the '135 patent simply discusses that the identification code is **obtained from a peripheral providing the additional function**. The '135 patent does not disclose that the identification code (*i.e.*, the asserted "application information of the new application") is obtained from the updating programs (*i.e.*, the asserted "new application"). Thus, the '135 patent does not

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<sup>1</sup> See Office Action dated August 6, 2008, page 2 and page 4.

<sup>2</sup> *Id.* at page 4.

<sup>3</sup> See '135 patent, column 15, lines 5-12.

<sup>4</sup> *Id.* at column 15, lines 5-19 and 35-37..

disclose an application information obtaining part configured to obtain, *from the new application*, application information of the new application that includes information, as asserted in the Office Action.

Further, the '135 patent simply discusses that, when the new function, **provided by the peripheral** (e.g., an automatic document feeder 302, a sorter 303, a duplex copy unit 304, a finisher, or a sorter/stapler), is added to the copier body 301, a management system 2206 causes **an external managing unit 2203 to provide updating programs** for controlling the new function, if the copier body 301 determines that it cannot deal with the new function sufficiently, or at all. The '135 patent does not disclose that the peripheral or the updating program is a new application, as defined in Claim 1 (*i.e.*, a new application that performs interprocess communication with the control service in the same way as the application and that can be installed in the image forming apparatus). Further, the '135 patent does not disclose that the updating programs (*i.e.*, the asserted "new application") **performs interprocess communication with the control service in the same way** as the peripheral (*i.e.*, the asserted "application"). Thus, the '135 patent does not disclose the new application defined in Claim 1.

Moreover, it is respectfully submitted that the '966 and '326 applications fail to remedy the deficiencies of the '135 patent, as discussed above. That is, the '966 and '326 applications do not disclose an application information obtaining part configured to obtain, from the new application, application information of the new application that includes information indicating whether the new application is installable in the installed application storage part. Further, the Office Action does not rely on the '966 and '326 applications for those deficiencies.

Thus, no matter how the teachings of the '135 patent, the '966 application, and the '326 application are combined, the combination does not teach or suggest the application

information obtaining part defined in Claim 1. Accordingly, Applicants respectfully traverse the rejection of Claim 1 (and all associated dependent claims) as being unpatentable over the '135 patent, the '966 application, and the '326 application.

Amended Claims 15 and 28 recite, in part,

[[a]] method for installing applications in an image forming apparatus an image forming apparatus including hardware resources used for image formation, an application for performing processes on the image formation, and a platform that exists between the application and the hardware resources, the platform including an OS and at least one control service to control an execution of each requested processing of the hardware resources according to a function call from the application, wherein interprocess communication is performed between the control service and the application, and a new application that performs interprocess communication with the control service in the same way as the application can be installed in the image forming apparatus, the method comprising:

obtaining, from the new application, application information of the new application that includes information indicating whether the new application is installable in the image forming apparatus.

As noted above, the '135 patent, the '966 application, and the '326 application, alone or in proper combination, fail to disclose the application information obtaining part recited in Claim 1. Thus, the '135 patent, the '966 application, and the '326 application fail to disclose the steps of obtaining recited in Claims 15 and 28, respectively. Accordingly, Applicants respectfully traverse the rejections of Claims 15 and 28 (and all associated dependent claims) as being unpatentable over the '135 patent, the '966 application, and the '326 application.

#### CONCLUSION

Thus, it is respectfully submitted that independent Claims 1, 15, and 28 (and all associated dependent claims) patentably define over any proper combination of the '135 patent, the '966 application, and the '326 application.

Consequently, in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

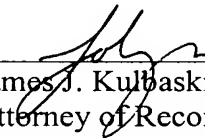
Respectfully submitted,

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